

ORDINANCE NO. 59 0409 FT

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE FOLLOWING:

- (1) (A) LOTS 17 AND 18 LOUIS HORST SUBDIVISION, AND (B) THE NORTH 50 FEET OF LOT 19, LOUIS HORST SUBDIVISION, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT;
- (2) (A) THE WEST 23 FEET OF LOT 7 AND THE EAST 23 FEET OF LOT 8, BLOCK 168, ORIGINAL CITY OF AUSTIN, AND (B) THE EAST 46 FEET OF LOT 7 AND THE WEST 46 FEET OF LOT 8, BLOCK 168, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
- (3) LOTS 12 AND 13, BLOCK 5, PENN SUBDIVISION, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;
- (4) A TRIANGULAR TRACT OF LAND FRONTING APPROXIMATELY 755 FEET ON THE EAST RIGHT OF WAY LINE OF AIRPORT BOULEVARD, LOCALLY KNOWN AS 4601-4723 AIRPORT BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;
- (5) (A) LOT 14, BLOCK 1, BROADACRES SUBDIVISION, AND (B) LOTS 15 AND 16, BLOCK 1, BROAD ACRES SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (6) LOT 10, BLOCK 5, SHELLEY HEIGHTS NUMBER 2, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (7) LOTS 27, 28, AND 29, BLOCK E, BARTON HEIGHTS SUBDIVISION, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (8) (A) LOTS 4 AND 5, E. B. ROBINSON SUBDIVISION AND (B) LOT 3, E. B. ROBINSON SUBDIVISION, FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
- (9) (A) ALL OF LOT 6 AND THE EAST 9.7 FEET OF LOT 5, BLOCK 162, OF THE ORIGINAL CITY OF AUSTIN, AND (B) ALL OF LOT 4 AND THE WEST 39 FEET OF LOT 5, BLOCK 162, ORIGINAL CITY OF AUSTIN, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT;
- (10) LOT 5, BLOCK 13, RIDGETOP ANNEX, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,
- (11) AN INTERIOR TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 3510-3512 (3504) INTERREGIONAL HIGHWAY, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH CHANGES; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. The certain ordinance entitled, "An ordinance amending an ordinance entitled, 'An ordinance establishing zoning regulations and districts in accordance with a comprehensive plan; and regulating and districting the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the location and use of buildings, structures and land for trade industry, residence and other purposes and dividing the City of Austin into districts or zones and regulating and districting the erection, construction, reconstruction, alteration, repair and use of buildings, structures, or land within such districts or zones and providing uniform regulations for the several classes and kinds of buildings or structures and uses within the districts or zones; and adopting two zoning maps disclosing respectively the several use districts and the several height and area districts, and the restrictions and limitations and provisions to such districts; and providing certain penalties and remedies; and declaring an emergency,' which ordinance was passed by the City Council on July 17, 1941, and recorded in Ordinance Book "L", pages 152-174, inclusive, of the Ordinance Records of the City of Austin," which ordinance was amendatory of that certain ordinance establishing zoning regulations and districts in accordance with a comprehensive plan passed by the City Council April 23, 1931, and recorded in Ordinance Book "I", pages 301-318, inclusive, of the Ordinance Records of the City of Austin, be and the same is hereby amended to change the USE and HEIGHT and AREA designations from "B"

Residence District and Second Height and Area District to "C" Commercial District and Third Height and Area District on the following, to wit:

- (A) Lots 17 and 18, Louis Horst Subdivision, said two lots fronting 140 feet on the east right of way line of Nueces Street beginning at a point 162 feet north of the north right of way line of West 19th Street and having a depth of 120 feet, locally known as 1913-2003 (1905-1907) Nueces Street, in the City of Austin, Travis County, Texas.
- (B) The north 50 feet of Lot 19, Louis Horst Subdivision, same fronting 50 feet along the east right of way line of Nueces Street, beginning at a point approximately 112 feet north of the north line of 19th Street and having a depth of 120 feet, locally known as 1911 (1903) Nueces Street, in the City of Austin, Travis County, Texas.

SECTION 2. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "B" Residence District and Second Height and Area District to "O" Office District and Second Height and Area District on the following, to wit:

- (A) The west 23 feet of Lot 7 and the east 23 feet of Lot 8, Block 168, Original City of Austin, same fronting 46 feet on the south right of way line of East 15th Street beginning at a point 46 feet east of the east right of way line of Neches Street and having a depth of 128 feet, locally known as 503 East 15th Street in the City of Austin, Travis County, Texas.
- (B) The east 46 feet of Lot 7 and the west 46 feet of Lot 8, Block 168, Original City of Austin, same fronting 46 feet along the south right of way line of East 15th Street and 128 feet along the east right of way line of Neches Street, and a portion of one lot fronting 46 feet along the south right of way line of East 15th Street beginning at a point 92 feet east of the east line of Neches Street, and having a depth of 128 feet, locally known as 501 East 15th Street and 1407-1411 Neches Street and 505 East 15th Street in the City of Austin, Travis County, Texas.

SECTION 3. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "C" Commercial District and Fifth Height and Area District to "C-2" Commercial District and Fifth Height and Area District on the following, to wit:

All of Lot 12 and 13, Block 5, Penn Subdivision, locally known as 3305, 3307, 3309 and 3311 North Lamar Boulevard, in the City of Austin, Travis County, Texas.

SECTION 4. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "A" Residence District and First Height and Area District to "C" Commercial District and First Height and Area District on the following described property, to wit:

A triangular tract of land fronting approximately 755 feet on the east right of way line of Airport Boulevard, 42.92 feet on the north right of way line of East 46th Street, 688 feet on the west right of way line of Harmon Avenue and having a maximum depth of 363 feet, same being more particularly described as follows:

Simnachers 3.238 acres of land in Outlot 17, Division "C" described by metes and bounds as follows:

BEGINNING at an "X" cut into a rock wall at the southeast corner of above 3.238 acres of land, same being the point of intersection of the west line of Harmon Avenue and the north line of East 46th Street;

THENCE, North 28° 53' East 688.23 feet along west line of Harmon Avenue to an iron stake;

THENCE, North 60° 25' West 362.51 feet to an iron stake; same being the intersection of the north boundary of said tract with Airport Boulevard;

THENCE, South 4° 57' West 756.57 feet to an "X" cut in a rock wall; same being the intersection of the east line of Airport Boulevard and the north line of East 46th Street;

THENCE, South 59° 53' East 44.92 feet along north line of East 46th Street to the place of beginning;

locally known as 4600-4712 Harmon Avenue, 4601-4713 Airport Boulevard, and 924 East 46th Street, in the City of Austin, Travis County, Texas.

SECTION 5. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE and HEIGHT and AREA designations from "A" Residence District and First Height and Area District and "C" Commercial District and Second Height and Area District to "C" Commercial District and Second Height and Area District on the following, to wit:

- (A) Lot 14, Block 1, Broadacres Subdivision, said lot fronting 75.2 feet on the west right of way line of Adams Avenue beginning at a point approximately 570 feet wouth of the south right of way line of Ullrich Avenue and having a depth of 194.1 feet, locally known as 5612 Adams Avenue in the City of Austin, Travis County, Texas.
- (B) Lots 15 and 16, Block 1, Broad Acres Subdivision, said two lots fronting 150 feet along the west right of way line of Adams Avenue and 89 feet along the east right of way line of Burnet Road, locally known as 5608-5610 Adams Avenue, in the City of Austin, Travis County, Texas.

SECTION 6. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE and HEIGHT and AREA designations from "A" Residence District and First Height and Area District to "B" Residence District and Second Height and Area District on the following described property, to wit:

Lot 10, Block 5, Shelley Heights Number 2, said lot fronting 60.8 feet on the east right of way line of Eason Street and 133 feet on the south right of way line of West 12th Street, locally known as 1109 Eason Street and 1503-1/2 -1507 West 12th Street, in the City of Austin, Travis County, Texas.

SECTION 7. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE and HEIGHT and AREA designations from "A" Residence District and First Height and Area District to "B" Residence District and Second Height and Area District on the following described property, to wit:

Lots 27, 28, 29, Block E, Barton Heights Subdivision, said three lots fronting 78 feet on the east right of way line of Garner Avenue, beginning at a point 78 feet north of the north right of way line of Margaret Street, locally known as 1105 Garner Avenue in the City of Austin, Travis County, Texas.

SECTION 8. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "B" Residence District and Second Height and Area District to "O" Office District and Second Height and Area District on the following, to wit:

- (A) Lots 4 and 5, E. B. Robinson Subdivision, said two lots fronting 88 feet on the west right of way line of West Avenue beginning at a point 520 feet north of the north right of way line of West 6th Street and having an average depth of 314 feet, locally known as 706-708 (708-710) West Avenue, in the City of Austin, Travis County, Texas.
- (B) Lot 3, E. B. Robinson Subdivision, said lot fronting 44 feet along the west right of way line of West Avenue, beginning at a point 481 feet north of the north line of West 6th Street, and having an average depth of 260 feet, locally known as 704 (706) West Avenue, in the City of Austin, Travis County, Texas.

SECTION 9. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE and HEIGHT and AREA designations from "B" Residence District and Second Height and Area District to "C" Commercial District and Third Height and Area District on the following, to wit:

- (A) All of Lot 6 and the east 7.0 feet of Lot 5, Block 162, of the Original City of Austin, same fronting 53.0 feet on the north right of way line of East 13th Street and 128 feet on the west right of way line of Trinity Street, locally known as 316 East 13th Street and 1300-1304 Trinity Street in the City of Austin, Travis County, Texas.

- (B) All of Lot 4 and the west 39 feet of Lot 5, Block 162, Original City of Austin, same fronting 85 feet along the north right of way line of East 13th Street, beginning at a point 53.0 feet west of the west line of Trinity Street, and having a depth of 128 feet, locally known as 312-314 East 13th Street, in the City of Austin, Travis County, Texas.

SECTION 10. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "A" Residence District and First Height and Area District to "B" Residence District and First Height and Area District on the following described property, to wit:

Lot 5, Block 13, Ridgetop Annex, said lot fronting 40 feet on the east right of way line of Red River Street beginning at a point 160 feet north of the north right of way line of East 47th Street and having a depth of 130 feet, locally known as 4709 Red River, in the City of Austin, Travis County, Texas.

SECTION 11. The certain ordinance described in Section 1 of this Ordinance is hereby further amended to change the USE designation from "A" Residence District and Second Height and Area District to "C" Commercial District and Second Height and Area District on the following described property, to wit:

An interior tract of land having dimensions of 40 by 50 feet and containing 2000 square feet, and is more particularly described as follows:

A tract of land 50 feet in width by 40 feet in depth out of and a part of Block No. 3 of Plainview Heights, a subdivision of Outlots Nos. 20 and 21, in Division "C", in the City of Austin, Travis County, Texas, according to map or plat of record in Volume 380, page 248 of the Deed Records of Travis County, Texas, and described by metes and bounds as follows:

BEGINNING for reference at the southeast corner of Original Block No. 3 of Plainview Heights, a subdivision of Outlot No. 20 and a part of Outlot No. 21, in Division "C", in the City of Austin, Travis County, Texas;

THENCE in a westerly direction along the south line of said Block No. 3, a distance of 190 feet to stake for corner;

THENCE, in a northerly direction parallel with the east and west lines of original Block No. 3 of Plainview Heights as aforesaid a distance of 118 feet to stake for corner for the beginning corner of the tract of land and being also the southeast corner of the tract of land above referred to as 50 feet in width by 40 feet in depth out of Block No. 3, Plainview Heights as aforesaid;

THENCE, continuing in a northerly direction parallel with the east and west lines of Block No. 3 Plainview Heights as aforesaid a distance of 50 feet to stake for corner;

THENCE in a westerly direction along a line parallel with the north and south lines of said Block No. 3 of Plainview Heights Addition a distance of 40 feet to stake for corner;

THENCE, in a southerly direction along a line parallel with the east and west lines of said Block No. 3 of Plainview Heights Addition as aforesaid a distance of 50 feet to stake for corner;

THENCE, in an easterly direction along a line parallel with the north line and the south line of said Block No. 3 of Plainview Heights Addition as aforesaid a distance of 40 feet to the place of beginning; locally known as the rear of 3510-3512 (3504) Interregional Highway, in the City of Austin, Travis County, Texas.

SECTION 12. It is hereby ordered that the USE and HEIGHT and AREA maps

accompanying said ordinances and made a part thereof shall be changed so as to

record the changes ordered in Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of this

Ordinance.

SECTION 13. The rule requiring that ordinances shall be read on three separate days

is hereby suspended, and this Ordinance shall become effective as provided by the

Charter of the City of Austin.

APPROVED:

Doren R. Clesner
City Attorney

PASSED: *April 9, 1959*

APPROVED: *April 9, 1959*
Tom Miller
Mayor

ATTEST:

Elaine Muesley
City Clerk